

1 MICHAEL S. LAWSON (SBN 48172)

City Attorney

2 RANDOLPH S. HOM (SBN 152833)

Assistant City Attorney

3 CITY OF HAYWARD

777 B Street, 4th Floor

4 Hayward, California 94541

Tel: (510) 583-4450

5 Fax: (510) 583-3660

6 Attorneys for Defendants City of Hayward,
Lloyd Lowe, Michael Creighton, Mayse Taylor,
7 and Michael Goodness

8 JOHN L. BURRIS (SBN 69888)

Law Offices of John L. Burris

9 7677 Oakport Street, Suite 1120

Oakland, CA 94621

10 Tel: (510) 839-5200

11 Fax: (510) 839-3882

12 Attorney for Plaintiffs Robert McIntosh and
Marci Silver

13 GAYLA B. LIBET (SBN 109173)

LAW OFFICES OF GAYLA B. LIBET

14 486 41st Street, Suite 3

Oakland, California 94609

15 Tel: (510) 420-0324

Fax: (510) 420-0324

16 Attorney for Plaintiffs Robert McIntosh and
Marci Silver

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 ROBERT McINTOSH and MARCI SILVER,

Case No. C-08 05555 (JL)

21 Plaintiffs,

STIPULATION TO EXTEND

22 DEADLINE TO COMPLETE

v.

23 MEDIATION; ~~(PROPOSED)~~ ORDER

24 CITY OF HAYWARD, et al.,

25 Defendants.

26 STIPULATION

27 Due to the unavailability of the mediator, the mediation set for August 18, 2009 did not

1 go forward. The mediation was reset for October 7, 2009. Accordingly, the parties stipulate that
2 the mediation may be completed on or before October 30, 2009, and that in the interests of
3 judicial economy that further case management conference for this matter be postponed until on
4 or after November 1, 2009.

5
6
7 DATED: August 21, 2009

LAW OFFICES OF GAYLA B. LIBET

8
9
10 By: /s/
GAYLA B. LIBET
Attorney for Plaintiffs

11
12 DATED: August 21, 2009

MICHAEL S. LAWSON, City Attorney

13
14
15 By: /s/
RANDOLPH S. HOM,
Assistant City Attorney
Attorneys for Defendants

16
17
18 **ORDER**

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20
21 Dated: September 8, 2009

22 
MAGISTRATE JAMES LARSON

PROOF OF SERVICE

I am employed in the County of Alameda, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 "B" Street, Hayward, CA 94541.

On August 25, 2009, I served the document(s) described as: **Stipulation to Extend Deadline to Complete Mediation** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope:

JOHN L. BURRIS
Law Offices of John L. Burris
7677 Oakport Street, Suite 1120
Oakland, CA 94621

GAYLA B. LIBET
Law Offices of Gayla B. Libet
486 41st Street, Suite 3
Oakland, CA 94609

☒ **(BY MAIL)** I am readily familiar with this business's practice for collection and processing of correspondence for mailing, and that correspondence will be deposited with the U.S. Postal Service on the date herein above in the ordinary course of business at Hayward, California.

☐ **(BY PERSONAL SERVICE)** I caused such envelope to be delivered by hand to the addressee(s) at the locations noted above.

☐ **(BY FACSIMILE TRANSMISSION)** I caused a true copy thereof to be transmitted by facsimile machine, which transmission was reported and complete and without error.

☐ **(BY FEDERAL EXPRESS)** I caused such envelope to be placed with Federal Express for overnight delivery of same.

☐ **(STATE)** Under the laws of the State of California.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on August 25, 2009 at Hayward, California.

/s/ _____
Randolph Hom